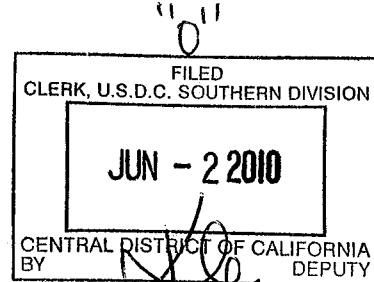


1 I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY ^{petitioner}
2 FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
3 RECORD IN THIS ACTION ON THIS DATE.

4 DATED: 6/2/10

5 DEPUTY CLERK



6

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 EDUARDO ESTAGIO FRANCO,

Case No. EDCV 10-0113-PSG (RNB)

10 Petitioner,

11 ORDER ADOPTING FINDINGS,
12 CONCLUSIONS AND
13 RECOMMENDATIONS OF UNITED
14 STATES MAGISTRATE JUDGE

15 MIKE McDONALD, Warden,

Respondent.

16

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed all the records and files herein,
18 including the Report and Recommendation of the United States Magistrate Judge. No
19 objections to the Report and Recommendation have been filed herein. The Court concurs
20 with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

21 IT THEREFORE IS ORDERED that Judgment be entered dismissing this action
22 without prejudice.

23 DATED: 5/28/10

24

25 *[Signature]*

26 PHILIP S. GUTIERREZ
27 UNITED STATES DISTRICT JUDGE

28